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ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR CONFIRMATION NO. A-69028/DJB/JJD Kurt C. Gish 8631 09/747,371 12/21/2000 EXAMINER 04/02/2004 27194 7590 HOWREY SIMON ARNOLD & WHITE, LLP JOHANNSEN, DIANA B BOX 34 ART UNIT PAPER NUMBER 301 RAVENSWOOD AVE. MENLO PARK, CA 94025 1634

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Application/Control Number: 09/747,371

Art Unit: 1634

COMMUNICATION

Information Disclosure Statement

- 1. The information disclosure statement filed on December 5, 2003 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. It is noted that in the IDS Applicants have authorized the Office to charge any necessary fee deficiency; however, consideration of an IDS after mailing of a notice of allowance but before payment of the issue fee requires both the fee set forth in 37 CFR 1.17(p) and a statement as specified in 37 CFR 1.97(e) (see 37 CFR 1.97 and MPEP 609).
- 2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diana B. Johannsen whose telephone number is 571/272-0744. The examiner can normally be reached on Monday-Friday, 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached at 571/272-0745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Diana B. Johannsen

Patent Examiner

April 1, 2004